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Attorneys for Plaintiff United National
Funding, LLC, a Nevada limited liability
company.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA - LAS VEGAS

UNITED NATIONAL FUNDING, LLC, a Nevada limited liability company,) Case No.: 2:8-cv-00993 JCM-LRL
Plaintiff,	) 1. NOTICE OF MOTION AND
v.	) MOTION OF ATTORNEY
JETDIRECT AVIATION, INC., a	) JAMES D CROSBY TO
Delaware corporation, formerly known	) WITHDRAW AS COUNSEL OF
as Sentient Flight Group, LLC,	) RECORD FOR PLAINTIFF
CAMPBELL AIRCRAFT HOLDINGS	) UNITED NATIONAL FUNDING,
LLC, a Delaware limited liability	) LLC.
company, GREGORY S. CAMPBELL,	) 2. MEMORANDUM OF POINTS
an individual, JOHN BAX, an	) AND AUTHORITIES
individual, and STEPHEN M. HANKIE,)
an individual,)
Defendants.)
_____	) Action Filed: August 1, 2008

TO PLAINTIFF UNITED NATIONAL FUNDING, LLC. AND TO ALL
PARTIES AND THEIR ATTORNEYS OF RECORD:

Attorney James D. Crosby hereby moves for an order allowing him to withdraw
as counsel of record for plaintiff United National Funding, LLC in the above-referenced
action.

1. NOTICE OF MOTION AND MOTION OF ATTORNEY JAMES D CROSBY TO WITHDRAW AS COUNSEL OF RECORD
FOR PLAINTIFF UNITED NATIONAL FUNDING, LLC. 2. MEMORANDUM OF POINTS AND AUTHORITIES

1 The motion is made pursuant to United States District Court, Central District of
 2 Nevada, Local Rules, Rules IA 10-6(b)(d)(e) and Nevada Rules of Professional Conduct,
 3 Rules 1.16(b)(c)(d) upon the grounds (1) that Philip Neuman, the sole member of
 4 plaintiff United National Funding, LLC, has breached an agreement and obligation to the
 5 moving party as to fees and costs in the present action, (2) that conduct of Philip
 6 Neuman, the sole member of plaintiff United National Funding, LLC, has rendered it
 7 unreasonably difficult for the moving party to carry out his representation, and (3) that
 8 serious conflicts in the moving party's representation have arisen which require
 9 withdrawal by the moving party. If necessary and required by the court, the moving party
 10 will advise the court in camera, or in such other manner so as to protect privileged
 11 communications, as to additional facts which are covered by the attorney-client
 12 confidential communication and/or attorney-client work product privileges and which
 13 support the stated grounds for the present motion.

14 The motion is based upon this notice of motion and motion, the memorandum of
 15 points and authorities included herein, the declaration of James D. Crosby filed herewith,
 16 the papers and pleadings on file herein and upon such other and further evidence or
 17 argument as may be presented at any hearing on the application.

18 NOTICE TO CLIENT

19 **IN THE EVENT OF WITHDRAWAL BY THE UNDERSIGNED MOVING**
 20 **PARTY PER COURT ORDER UPON THIS MOTION OR UPON CONSENT,**
 21 **PLAINTIFF UNITED NATIONAL FUNDING, LLC WILL BE NO LONGER BE**
 22 **REPRESENTED BY AN ATTORNEY. PLAINTIFF UNITED NATIONAL**
 23 **FUNDING, LLC IS ADVISED THAT, AS AN ENTITY, IT CANNOT**
 24 **REPRESENT ITSELF IN THE ACTION AND MUST BE REPRESENTED BY AN**
 25 **ATTORNEY IN THE ACTION. IF PLAINTIFF UNITED NATIONAL FUNDING,**
 26 **LLC DOES NOT RETAIN A NEW ATTORNEY TO APPEAR AND REPRESENT**
 27 **IT IN THE ACTION IN THE EVENT OF WITHDRAWAL BY THE**
 28 **UNDERSIGNED MOVING PARTY PER COURT ORDER UPON THIS MOTION**

1. NOTICE OF MOTION AND MOTION OF ATTORNEY JAMES D. CROSBY TO WITHDRAW AS COUNSEL OF RECORD
 FOR PLAINTIFF UNITED NATIONAL FUNDING, LLC. 2. MEMORANDUM OF POINTS AND AUTHORITIES

1 **OR UPON CONSENT, ITS COMPLAINT WILL ULTIMATELY BE DISMISSED,**
2 **AND A DEFAULT AND DEFAULT JUDGMENT WILL BE ENTERED**
3 **AGAINST IT ON ANY CROSS-COMPLAINT. PLAINTIFF UNITED NATIONAL**
4 **FUNDING, LLC IS STRONGLY ADVISED TO RETAIN NEW COUNSEL TO**
5 **REPRESENT IT IN THE ABOVE-REFERENCED ACTION.**

6
7 Date: June 1, 2010

/s/ James D. Crosby
Attorney for Plaintiffs Plaintiff United
National Funding, LLC, a Nevada limited
liability company.

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11 MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION
12 OF ATTORNEY JAMES D CROSBY TO WITHDRAW AS COUNSEL OF
13 RECORD FOR PLAINTIFF UNITED NATIONAL FUNDING, LLC.

14 I.

15 PURSUANT TO NEVADA RULES OF PROFESSIONAL CONDUCT, RULE 1.16,
16 UPON NOTICE TO CLIENT AND UPON ORDER OF THE COURT, AN
17 ATTORNEY MAY WITHDRAW FROM REPRESENTATION OF A CLIENT
18 Nevada Rules of Professional Conduct, Rules 1.16(b)(c)(d) provide that an
19 attorney may withdraw from an ongoing matter, upon notice and order of the court.

20 II.

21 PURSUANT TO UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF
22 NEVADA, LOCAL RULES, RULES IA 10-6(b)(d)(e) AN ATTORNEY MAY BE
23 ALLOWED TO WITHDRAW WITH LEAVE OF COURT UPON GOOD CAUSE
24 OR WHERE THE WITHDRAWAL WILL NOT CAUSE DELAY IN
25 PROSECUTION OF THE CASE TO COMPLETION.

26 United States District Court, Central District of Nevada, Local Rules, Rules IA 10-
27 6(b)(d)(e) allow an attorney to withdraw with leave of court upon written notice and
28 upon good cause or where withdrawal will not cause delay in prosecution of the case to

1 completion.

2 III.

3 AN ORDER RELIVING COUNSEL MAY BE GRANTED (1) WHERE THE
4 CLIENT FAILS TO SUBSTANTIALLY FULFILL AN OBLIGATION AS TO THE
5 ATTORNEYS SERVICES, AND/OR (2) WHERE CONDUCT BY THE CLIENT
6 RENDERS IT UNREASONABLY DIFFICULT FOR THE ATTORNEY TO
7 CARRY OUT HIS REPRESENTATION.

8 Nevada Rules of Professional Conduct, Rules 1.16(b)(5) allows an attorney to
9 withdraw from representation of a client in pending litigation where that client "fails
10 substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has
11 been given reasonable warning that the lawyer will withdraw unless the obligation is
12 fulfilled".

13 Nevada Rules of Professional Conduct, Rules 1.16(b)(6) allows an attorney to
14 withdraw from representation of a client in pending litigation where the representation
15 has been rendered unreasonably difficult by the client."

16 IV.

17 AN ORDER ALLOWING JAMES D CROSBY TO WITHDRAW AS COUNSEL
18 FOR PLAINTIFF UNITED NATIONAL FUNDING, LLC SHOULD BE ISSUED.

19 As set forth in the declaration of James D. Crosby filed herewith, adequate
20 grounds exist under United States District Court, Central District of Nevada, Local
21 Rules, Rules IA 10-6(b)(d)(e) and Nevada Rules of Professional Conduct, Rules
22 1.16(b)(c)(d) for issuance of a withdrawal order. Further, and as further set forth in the
23 declaration of James D. Crosby filed herewith, serious conflicts of interest have arisen
24 in the last several weeks which prohibit the moving party from continuing to represent
25 plaintiff United National Funding, LLC.

1 Accordingly, the court should issue an order allowing James D. Crosby, Attorney
2 at Law, to withdraw as counsel of record for plaintiff United National Funding, LLC in
3 the above-entitled action.

4
5 Date: June 1, 2010

/s/ James D. Crosby, Attorney at Law

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7 The Motion to Withdraw is granted. United National Funding shall file a
8 Notice of Appearance by new counsel not later than August 13, 2010.

9
10
11 IT IS SO ORDERED.

12 

13 UNITED STATES MAGISTRATE JUDGE

14 DATED: 6-29-10